

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of

Implementation of Section 621(a)(1) of the Cable  
Communications Policy Act of 1984 as Amended  
by the Cable Television Consumer Protection and  
Competition Act of 1992

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MB Docket No. 05-311

**COMMENTS OF THE TOWN OF BEDFORD, MASSACHUSETTS**

The Town of Bedford, Massachusetts appreciates the opportunity to file comments on the Second Further Notice and Proposed Rulemaking ("FNPRM") in the above-referenced docket. Our municipality, located 15 miles northwest of the City of Boston, and has a population of approximately 14,500, contracts with a local cable provider that operates our PEG programming channel. Programs include tapings of various public committee meetings, such as the Bedford Selectmen, the School Committee, and the Planning Board, as well as original programming hosted by Bedford Community Access Television. As of 2017, we have 4,570 cable subscribers, and as of 2018, we have 6,434 subscribers on YouTube. We strongly oppose the tentative conclusion in the FNPRM that cable-related in-kind contributions, such as those that allow our programming to be viewed on the cable system, are franchise fees.

The Town of Bedford receives 3.5% of gross annual revenue from Verizon and Comcast. Allowing cable providers to arbitrarily assign a dollar value to transmission of our channels or recoup fees from existing infrastructure that was granted in a license agreement ten years ago is simply outrageous. Our annual budget is so small that these in-kind deductions will wipe us out of business. The community of Bedford will lose its access to transparent meetings, lectures, and events that are not covered by other media outlets.


We reject the implication in the FNPRM that PEG programming is for the benefit of the local franchising authority (LFA) or a third-party PEG provider, rather than for the public or the cable consumer. As demonstrated above, Bedford Community Access Television provides valuable local programming that is not otherwise available on the cable system or in other modes of video delivery such as satellite. Yet the Commission tentatively concludes that non-capital PEG requirements should be considered franchise fees because they are, in essence, taxes imposed for the benefit of LFAs or their designated PEG providers. By contrast, the FNPRM tentatively concludes that build-out requirements are not franchise fees because they are not contributions to the franchising authority. The FNPRM then requests comment on “other requirements besides build-out obligations that are not specifically for the use or benefit of the LFA or an entity designated the LFA and therefore should not be considered contributions to an LFA.” PEG programming fits squarely into the category of benefits that do not accrue to the LFA or its designated access provider, yet the Commission concludes without any discussion of the public benefits of local programming that non-capital PEG-related provisions benefit the LFA or its designee rather than the public at large.

We invite the Commission to view for themselves the important benefits provided by local content in PEG programming. The link below is to a video that highlights Bedford Community Access Television Programming. (<https://www.youtube.com/watch?v=kR7FvXx5qT8&t=0s>) This video was recently submitted to the Northeast Chapter of the Alliance for Community Media annual video festival in the “Overall Best Public, Educational, and Government Access Programming” category for stations with budgets up to \$200,000 – the smallest budget category for these awards. Submissions were judged based on the variety and quality of programming, as well as a thorough questionnaire on the operations of the station that covered staffing,

responsiveness to community needs, and partnerships with local organizations. Bedford Community Access Television won first place in this category for the second year in a row. Should the Commission decide to re-appropriate funding for community access television, the ability for Bedford Community Access Television and its volunteers to create this programming would cease to exist.

We appreciate the opportunity to add to the record in this proceeding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sarah A. Stanton". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Sarah A. Stanton  
Town Manager  
Town of Bedford, MA

December 20, 2018